

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

HEARING EXAMINER DIRECTIVE

DOCKET NO. 2018-213-E

ORDER NO. 2018-90-H

JULY 13, 2018

Hearing Examiner: David Butler

DOCKET DESCRIPTION:

**Quiana Fenderson Bibbs, Complainant/Petitioner v. Duke Energy Carolinas, LLC,
Defendant/Respondent**

MATTERS UNDER CONSIDERATION:

Request to hold in abeyance the filing deadlines and the hearing date until Duke Energy Carolina LLC's Motion to Dismiss is resolved by the Public Service Commission of South Carolina (the "Commission")

Request for confidential treatment of Exhibit B to the Motion to Dismiss

HEARING EXAMINER ACTION:

Duke Energy Carolinas, LLC ("DEC") has filed a Motion to Dismiss the Complaint in this Docket, and requests that the filing deadlines for all parties and the hearing date be held in abeyance, pending resolution of its Motion to Dismiss. DEC also requests that Exhibit B to the Motion to Dismiss be treated as confidential, since it contains confidential customer information, including an account number and electricity usage data personal to the Complainant.

Clearly, the Complainant/Petitioner, Ms. Bibbs, should have an opportunity to respond to the Motion to Dismiss prior to the further filing of testimony or the hearing in this case, and the Motion to Dismiss should also be resolved by the Commission. Accordingly, the filing deadlines for all parties and the date are hereby held in abeyance, so that Ms. Bibbs will have an opportunity to respond to the Motion to Dismiss, and the Motion to Dismiss is resolved by the Commission. If the Motion to Dismiss is granted, no further action need be taken on this case. If the Motion to Dismiss is denied, new pre-filing dates and a new hearing date shall be established. Under the terms of Commission Regulation 103-829, Ms. Bibbs has until Monday, July 23, 2018 to respond to the Motion to Dismiss. Further, Exhibit B to the Motion to Dismiss shall be afforded confidential treatment, since some of

the information in the Exhibit, i.e. the account number and electricity usage data, is clearly personal in nature to Ms. Bibbs. See S.C. Code Ann. Section 30-4-40 (a) (2) (Supp. 2017).